

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

THE DUTRA GROUP,

Plaintiff,

v.

NATIONAL LABOR RELATIONS BOARD, a federal administrative agency, WILLIAM B. COWEN, in his official capacity as the Acting General Counsel of the National Labor Relations Board, MARVIN E. KAPLAN, in his official capacity as the Chairman of the National Labor Relations Board, DAVID M. PROUTY, in his official capacity as Board Member of the National Labor Relations Board, JILL H. COFFMAN, in her official capacity as a Regional Director for the National Labor Relations Board, and JOHN DOE in his official capacity as an Administrative Law Judge of the National Labor Relations Board,

Defendants,

Case No. 1:25-cv-00090-MAC

**SUPPLEMENT TO PLAINTIFF’S EMERGENCY MOTION FOR A TEMPORARY
RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION**

Plaintiff The Dutra Group, Inc. (“Dutra” or “Company”) submits this supplement to its Emergency Motion for a Temporary Restraining Order and/or Preliminary Injunction (“Motion”), ECF No. 2, to notify the Court that, in light of assurances received from the Region for the National Labor Relations Board (“NLRB”) handling the underlying administrative proceeding (the “NLRB proceeding”), Dutra is no longer moving on an emergency basis or seeking a temporary restraining order.

As set forth in the Motion filed yesterday, in the underlying NLRB proceeding, Dutra had filed a motion to vacate an order issued by Defendant Jill H. Coffman (“Coffman”) for a deposition to be taken tomorrow, February 28, 2025. While Coffman withdrew that order on the Tuesday night (February 25), Dutra had sought assurances that there is no intent to file a new application to take the deposition that had been previously ordered by Coffman and confirmation that, if a new application were to be filed, it would be subject to the requirements of Section 102.30 of the NLRB’s Rules and Regulations, including, without limitation, that the application must be served not less than 7 days prior to the time when it is desired that the deposition be taken.

Dutra has received those assurances from the Regional office handling NLRB proceeding as well as confirmation that the February 28 deposition has been cancelled. Accordingly, Dutra is notifying the Court that the urgency for it filing the Motion on an emergency basis and seeking a temporary restraining order has been removed.

There, however, is still a hearing before an ALJ for the NLRB scheduled to begin on July 8, 2025. For the reasons set forth in the Motion, Dutra will suffer irreparable harm if it is subject to an unconstitutional NLRB proceeding that violates its rights. Dutra therefore continues to respectfully request the Court to enter a preliminary injunction against the ongoing NLRB proceeding.

Respectfully submitted,

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Attorneys for Plaintiff The Dutra Group

CERTIFICATE OF SERVICE

I certify that on February 27, 2025, I electronically filed the foregoing document with the court and served all counsel of record electronically.

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